

DECISIONS PER CURIAM, FROM MARCH 1, 1920,
TO AND INCLUDING APRIL 19, 1920, NOT IN-
CLUDING ACTION ON PETITIONS FOR WRITS
OF CERTIORARI.

NO. 418. PRUDENTIAL INSURANCE COMPANY OF AMERICA *v.* ROBERT T. CHEEK. Error to the Supreme Court of the State of Missouri. Motion to dismiss submitted March 1, 1920. Decided March 8, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Schlosser v. Hemphill*, 198 U. S. 173, 175; *Louisiana Navigation Co. v. Oyster Commission of Louisiana*, 226 U. S. 99, 101; *Grays Harbor Co. v. Coats-Fordney Co.*, 243 U. S. 251, 255; *Bruce v. Tobin*, 245 U. S. 18, 19. Mr. Samuel W. Fordyce, Jr., and Mr. Thomas W. White for plaintiff in error. Mr. Frederick H. Bacon for defendant in error.

NO. 669. GULF & SHIP ISLAND RAILROAD COMPANY ET AL. *v.* CARL BOONE ET AL., ETC. Error to the Supreme Court of the State of Mississippi. Motion to dismiss or affirm submitted March 1, 1920. Decided March 8, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *McCorquodale v. Texas*, 211 U. S. 432; *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S. 326, 334; *St. Louis & San Francisco R. R. Co. v. Shepherd*, 240 U. S. 240, 241; *Bilby v. Stewart*, 246 U. S. 255, 257. Mr. T. J. Wills and Mr. B. E. Eaton for plaintiffs in error. Mr. George Anderson for defendants in error.

NO. 692. CHEATHAM ELECTRIC SWITCHING DEVICE COMPANY *v.* TRANSIT DEVELOPMENT COMPANY ET AL.

Appeal from the District Court of the United States for the Eastern District of New York. Motion to dismiss or affirm submitted March 1, 1920. Decided March 8, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Aspen Mining & Smelting Co. v. Billings*, 150 U. S. 31, 37; *Brown v. Alton Water Co.*, 222 U. S. 325, 332-334; *Metropolitan Water Co. v. Kaw Valley District*, 223 U. S. 519, 522; *Shapiro v. United States*, 235 U. S. 412, 416. And see *Red Jacket, Jr., Coal Co. v. United Thacker Coal Co.*, 248 U. S. 531. *Mr. Albert M. Austin* for appellant. *Mr. Thomas J. Johnston* for appellees.

No. ——. *UNION TRUST COMPANY v. WOODWARD & LOTHROP*. Petition for allowance of an appeal herein submitted March 1, 1920. Denied March 8, 1920. *Mr. William G. Johnson* for petitioner.

No. ——, Original. *Ex parte*; *IN THE MATTER OF JAMES F. BISHOP, ADMINISTRATOR, ETC., PETITIONER*. Motion for leave to file a petition for a writ of prohibition herein submitted March 1, 1920. Denied March 8, 1920. *Mr. Harry W. Standidge* for petitioner.

No. 312. *JOHN M. TANANEVICZ v. PEOPLE OF THE STATE OF ILLINOIS*. Error to the Supreme Court of the State of Illinois. Motion to dismiss submitted March 8, 1920. Decided March 15, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) *Consolidated Turnpike Co. v. Norfolk, etc., Ry. Co.*, 228 U. S. 326, 334; *St. Louis & San Francisco R. R. Co. v. Shepherd*,

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240 U. S. 240, 241; *Bilby v. Stewart*, 246 U. S. 255, 257. (2) *Brolan v. United States*, 236 U. S. 216, 218; *United Surety Co. v. American Fruit Co.*, 238 U. S. 140, 142; *Sugarman v. United States*, 249 U. S. 182, 184. (3) Section 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. Emory J. Smith* for plaintiff in error. *Mr. Edward J. Brundage* and *Mr. Edward C. Fitch* for defendant in error.

NO. 262. VIRGINIA AND WEST VIRGINIA COAL COMPANY *v.* GREEN CHARLES. Error to the Circuit Court of Appeals for the Fourth Circuit. Motion to dismiss submitted March 8, 1920. Decided March 15, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of: (1) Section 128 of the Judicial Code; *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *St. Anthony Church v. Pennsylvania R. R. Co.*, 237 U. S. 575, 577; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444. (2) *Spencer v. Duplan Silk Co.*, 191 U. S. 526, 530; *Devine v. Los Angeles*, 202 U. S. 313, 333; *Shulthis v. McDougal*, 225 U. S. 561, 569. *Mr. A. M. Beicher* and *Mr. S. B. Avis* for plaintiff in error. *Mr. William H. Werth*, *Mr. A. S. Higenbotham* and *Mr. Edgar Lee Greever* for defendant in error.

NO. 230. C. C. TAFT COMPANY *v.* STATE OF IOWA. Error to the Supreme Court of the State of Iowa. Argued March 12, 1920. Decided March 15, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of the Act of September 6, 1916, c. 448, § 6, 39 Stat. 726, 727. *Mr. Fred P. Carr* and *Mr. Robert M. Haines* for plaintiff in error, submitted. *Mr. F. C. David-*

son, with whom *Mr. H. M. Hawner* was on the brief, for defendant in error.

NO. 236. JAMES P. PARSONS *v.* WILLIAM H. MOOR ET AL. Error to the Supreme Court of the State of Ohio. Argued March 12, 1920. Decided March 15, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. Charles F. Carusi* and *Mr. C. A. Thacher*, for plaintiff in error, submitted. *Mr. Herbert P. Whitney* for defendants in error.

NO. —, Original. STATE OF NEW JERSEY *v.* A. MITCHELL PALMER, ATTORNEY GENERAL, ET AL. On motion for leave to file original bill. Motion submitted March 8, 1920. Order entered March 15, 1920.

ORDER. Application for leave to file bill granted and process ordered; but should the Attorney General be advised to move to dismiss, a motion to advance the hearing on the motion to dismiss to the earliest practicable day will be entertained, in order that the issues arising from such motion may be considered in connection with the controversies now under advisement resulting from the original bill filed by the State of Rhode Island and other causes involving kindred questions which are now also under submission. *Mr. Thomas F. McCran* for complainant.

NO. 111. UNION PACIFIC COAL COMPANY *v.* MARK A. SKINNER, COLLECTOR OF INTERNAL REVENUE. Certiorari to the Circuit Court of Appeals for the Eighth Circuit. Submitted December 19, 1919. Decided March

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22, 1920. *Per Curiam*. Affirmed with costs upon the authority of *Lynch v. Hornby*, 247 U. S. 339. Mr. Henry W. Clark for petitioner. The Solicitor General and Mr. A. F. Myers for respondent.

No. 227. *MCCAY ENGINEERING COMPANY v. UNITED STATES*. Appeal from the Court of Claims. Argued March 11, 12, 1920. Decided March 22, 1920. *Per Curiam*. Affirmed by an equally divided court. Mr. Justice McReynolds took no part in the decision of this case. Mr. George A. King, with whom Mr. M. Walton Hendry and Mr. George R. Shields were on the brief, for appellant. Mr. Assistant Attorney General Davis, with whom Mr. Chas. F. Jones was on the brief, for the United States.

No. 241. *KANSAS CITY BOLT & NUT COMPANY v. KANSAS CITY LIGHT & POWER COMPANY*. Error to the Supreme Court of the State of Missouri. Argued March 15, 1920. Decided March 22, 1920. *Per Curiam*. Affirmed upon the authority of *Union Dry Goods Co. v. Georgia Public Service Corporation*, 248 U. S. 372. Mr. Rees Turpin for plaintiff in error. Mr. John H. Lucas, with whom Mr. Frank Hagerman was on the brief, for defendant in error.

No. 257. *NEW ORLEANS LAND COMPANY v. WILLIS J. ROUSSEL, ADMINISTRATOR, ETC., ET AL.* Error to the Supreme Court of the State of Louisiana. Argued March 19, 1920. Decided March 22, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of

September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. Charles Louque*, with whom *Mr. W. O. Hart* was on the brief, for plaintiff in error. *Mr. William Winans Wall*, for defendants in error, submitted.

NO. 261. EDWARD C. MASON, AS HE IS TRUSTEE IN BANKRUPTCY, ETC., *v.* THOMAS J. SHANNON ET AL. Error to the Superior Court of the State of Massachusetts. Argued March 19, 1920. Decided March 22, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. Harold Williams, Jr.*, with whom *Mr. Charles E. Fay* was on the briefs, for plaintiff in error. *Mr. John T. Hughes*, with whom *Mr. James H. Vahey* and *Mr. Philip Mansfield* were on the brief, for defendants in error.

NO. 541. UNITED STATES ET AL. *v.* ALASKA STEAMSHIP COMPANY ET AL. Appeal from the District Court of the United States for the Southern District of New York. Argued December 16, 17, 1919. Order entered March 22, 1920. Counsel requested to file briefs concerning the effect upon the issues herein involved resulting from the act of Congress terminating the federal control of railroads and amending the act to regulate commerce in certain particulars, approved February 28, 1920. [See 253 U. S. 113.]

NO. 297. QUEENS LAND & TITLE COMPANY ET AL. *v.* KINGS COUNTY TRUST COMPANY ET AL. Appeal from the District Court of the United States for the Eastern Dis-

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trict of New York. Argued March 25, 1920. Decided April 19, 1920. *Per Curiam*. Affirmed with costs upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184. And see *Blumenstock Bros. Advertising Agency v. Curtis Publishing Co.*, this day decided, *ante*, 436. Mr. William G. Cooke for appellants. Mr. George E. Brower for appellees.

NO. 266. MARY WILLEM, A CREDITOR, ETC., v. DAWSON E. BRADLEY, TRUSTEE, ETC. Appeal from the District Court of the United States for the Southern District of Ohio. Argued March 22, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Empire State-Idaho Mining Co. v. Hanley*, 205 U. S. 225, 232; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184. Mr. William W. Symmes, with whom Mr. Saul S. Klein and Mr. Stanley D. Willis were on the brief, for appellant. Mr. Paul V. Connolly, with whom Mr. Thomas A. Connolly, Mr. Dawson E. Bradley and Mr. George W. Cowles were on the brief, for appellee.

NO. 282. METROPOLITAN WEST SIDE ELEVATED RAILWAY COMPANY ET AL. v. MACLAY HOYNE, STATE'S ATTORNEY, ETC., ET AL.; and

NO. 283. METROPOLITAN WEST SIDE ELEVATED RAILWAY COMPANY ET AL. v. SANITARY DISTRICT OF CHICAGO ET AL. Error to the Supreme Court of the State of Illinois. Argued March 25, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the

authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. Frank J. Loesch and Mr. Timothy J. Scofield*, with whom *Mr. Addison L. Gardner and Mr. Gilbert E. Porter* were on the briefs, for plaintiffs in error. *Mr. Edmund D. Adcock*, with whom *Mr. George I. Haight* was on the brief, for defendants in error in No. 282. *Mr. C. Arch Williams*, for defendants in error in No. 283, submitted.

NO. 295. *E. W. BLANCETT v. STATE OF NEW MEXICO*. Error to the Supreme Court of the State of New Mexico. Submitted March 25, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. A. B. Renehan* for plaintiff in error. *Mr. O. O. Askren, Mr. Harry S. Bowman and Mr. N. D. Meyer* for defendant in error.

NO. 423. *CHICAGO & NORTHWESTERN RAILWAY COMPANY v. HERMAN VAN DE ZANDE*. Error to the Supreme Court of the State of Wisconsin. Motion to dismiss or affirm submitted March 29, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. R. N. Van Doren* for plaintiff in error. *Mr. Robert A. Kaftan* for defendant in error.

NO. 233. *UNITED STATES v. WAYNE COUNTY, KENTUCKY*. Appeal from the Court of Claims. Argued

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March 12, 1920. Decided April 19, 1920. *Per Curiam*. Affirmed upon the authority of: (1) *United States v. Cress*, 243 U. S. 316, 329; *United States v. Welch*, 217 U. S. 333, 339; *United States v. Grizzard*, 219 U. S. 180, 185. (2) *St. Louis v. Western Union Telegraph Co.*, 148 U. S. 92, 101; *Western Union Telegraph Co. v. Richmond*, 224 U. S. 160, 169. And see *Stockton v. Baltimore & New York R. R. Co.*, 32 Fed. Rep. 9. (3) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Brolan v. United States*, 236 U. S. 216, 218; *Sugarman v. United States*, 249 U. S. 182, 184. Mr. Assistant Attorney General Davis, with whom The Solicitor General and Mr. Geo. T. Stormont were on the brief, for the United States. Mr. Jackson H. Ralston, with whom Mr. George W. Hott was on the brief, for appellee.

No. 263. *B. T. BACKUS v. NORFOLK SOUTHERN RAILROAD COMPANY*. Error to the Supreme Court of Appeals of the State of Virginia. Argued March 22, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of September 6, 1916, c. 448, § 2, 39 Stat. 726. Mr. J. Edward Cole, with whom Mr. Edward R. Baird, Jr., was on the briefs, for plaintiff in error. Mr. Jas. G. Martin for defendant in error.

No. 287. *F. R. GLASCOCK ET AL. v. ELLIS McDANIEL ET AL.*, MINORS, BY J. O. CRAVENS, GUARDIAN. Error to the Supreme Court of the State of Oklahoma. Submitted March 22, 1920. Decided April 19, 1920. *Per Curiam*. Dismissed for want of jurisdiction upon the authority of § 237 of the Judicial Code, as amended by the Act of

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September 6, 1916, c. 448, § 2, 39 Stat. 726. *Mr. William B. Moore and Mr. George S. Ramsey* for plaintiffs in error. *Mr. Grant Foreman, Mr. James D. Simms and Mr. Charles F. Runyan* for defendants in error.

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(A.) PETITIONS GRANTED.¹

NO. 697. JOHN P. GALBRAITH *v.* JOHN VALLELY, TRUSTEE, ETC. March 8, 1920. Petition for a writ of certiorari to the Circuit Court of Appeals for the Eighth Circuit granted. *Mr. Fred B. Dodge* for petitioner. *Mr. Francis J. Murphy* for respondent.

NO. 712. WESTERN UNION TELEGRAPH COMPANY *v.* ADDIE SPEIGHT. March 8, 1920. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted. *Mr. Francis Raymond Stark, Mr. Charles W. Tillett and Mr. Thomas C. Guthrie* for petitioner. *Mr. Murray Allen* for respondent.

NO. 746. HENRY KRICHMAN *v.* UNITED STATES. March 8, 1920. Petition for a writ of certiorari to the Circuit Court of Appeals for the Second Circuit granted. *Mr. Harrison P. Lindabury and Mr. Edward Schoen* for petitioner. No brief filed for the United States.

¹ For petitions denied, see *post*, 577.